

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURTfor the
Western District of Texas

MAR 22 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY RG
DEPUTY CLERK

United States of America

v.

Lorena MORENO

Case No.

EP-23-M-780-RFC

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/20/2023 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

21 USC 952

Offense Description

knowingly and intentionally import into the United States from the Republic of Mexico a quantity of Fentanyl, to wit; approximately 79.3 grams (gross weight) of Fentanyl, a Schedule II Controlled Substance;

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.
Complainant's signature

Victor H. Flores Jr. HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/22/2023Oath Telephonically Sworn
At 1:01 PM
Fed.R.Crim.P.4.1(b)(2)(A)*Judge's signature*

City and state:

El Paso, Texas

Robert F. Castaneda U.S. Magistrate Judge

Printed name and title

Affidavit

On March 20, 2023, at approximately 2331 hours, Lorena MORENO entered the United States from the Republic of Mexico through the Paso Del Norte (PDN) Port of Entry (POE), in El Paso, Texas, which is within the Western District of Texas. MORENO crossed into the U.S. through the pedestrian lanes of the POE.

A Customs and Border Protection Officer (CBPO) was manning the primary pedestrian lanes when MORENO applied for admission. During the inspection, the primary CBPO asked MORENO for positive identification. MORENO said she did not have any identification on her person but showed the Primary CBPO a picture of her New Mexico Driver's License on her cellular phone. The primary CBPO noticed MORENO's voice was cracking as she gave a negative customs declaration. MORENO was referred to Passport Control Secondary (PCS) for further inspection.

In PCS, the Primary CBPO conducted a supervisory approved pat down of MORENO witnessed by a Secondary CBPO. During the pat down, the Primary CBPO felt something hard in MORENO's crotch area. MORENO stated she could not remove the item because it was a tampon. A supervisory approved partial pat down was then conducted in the restroom by the Secondary CBPO and witnessed by the Primary CBPO and an additional female CBPO. During the partial pat down, the Secondary CBPO observed a bundle, white in color, exposed from her vaginal area. MORENO said the item was a tampon and a maxi pad and did not feel comfortable removing the items in front of the CBPOs. The Secondary CBPO asked if she wanted to go to the hospital to have a doctor remove the items to which MORENO agreed. MORENO was then escorted to a secure holding area awaiting transport to the hospital.

While waiting for hospital transport, a Customs Enforcement Officer (CEO) used his Human/Narcotics Detector Dog (HNDD) to conduct a canine sweep of MORENO. The HNDD alerted to a trained odor emanating from the crotch area of MORENO. After the positive canine alert MORENO agreed to remove the bundle herself. MORENO was then escorted to the restroom where MORENO voluntarily removed one condom wrapped bundle containing blue pills from her vaginal cavity.

A random sample of the blue pills was field tested which yielded positive for the properties of fentanyl. The total aggregated weight of the bundle containing the blue pills was approximately 79.3 grams.

MORENO was asked by a CBPO if she could provide the passcode to her cellular phone. MORENO agreed and provided a passcode. A CBPO attempted to enter the passcode provided by MORENO which caused a factory reset on the phone.

Homeland Security Investigations (HSI) Special Agents (SAs) Victor Flores and Eric Sanchez responded to the POE and advised MORENO of her Miranda Rights in the English language. MORENO acknowledged her rights and chose to speak with the agents without the presence of an attorney.

MORENO said the bundle concealed within her vaginal cavity contained approximately 500-600 fentanyl pills.

MORENO said she was going to be paid somewhere between \$500-\$1,200 U.S.D. to bring the fentanyl pills from Mexico to the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.